

Nellie S. Nusbaum, one of the complainants in the within cause after making affirmation before Wilbur F. Sheffield, Jr., one of the standing Examiners of the Circuit Court For Frederick County, Maryland, deposes and says:

By: Mr. Fout:

Q. Please state your name age and residence?

A. Nellie S. Nusbaum, I am 50 years old and reside near Johnsville, Frederick County, Maryland.

Q. You are co-owner of a certain farm in Johnsville District, on which Luther A. Baumgardner had a mining lease?

A. Yes, this lease was given to Mr. Baumgardner by my mother Fannie I. Six and was also signed by my brother Joseph Six, in 1951.

Q. Have you as a co-owner of this farm on which the mining lease exists ever received any monies by virtue of this lease?

A. No. I never have, nor did my mother and nor did my brother.

Q. To your knowledge has Mr. Baumgardner or anyone else conducted any mining operations on the farm under this lease?

A. No. As long as I can remember there were two holes in the ground located on the farm near the Beaver Dam Church Property, and these two same holes are about the same size today as they were many years ago.

Q. Then Mr. Baumgardner nor anyone else have done any mining there?

A. Yes that is correct, the holes are full of water and they always have been, except one time in the early 1940, when Mr. Baumgardner pumped out the holes.

TO THE GEN INT. AS PROPOUNDED BY WILBUR F. SHEFFIELD, JR.,

Nothing Further.

Nellie S. Nusbaum  
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